



# PUBLIC NOTICE

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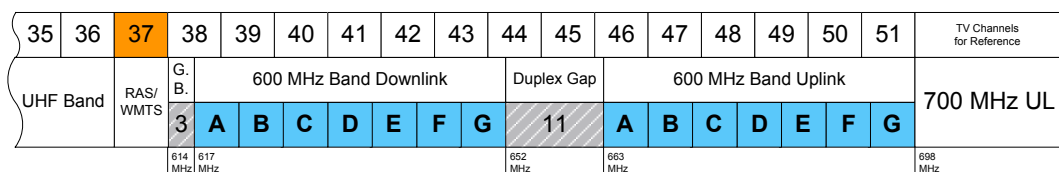
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## **MEDIA BUREAU REMINDS LOW POWER TELEVISION AND TELEVISION TRANSLATOR STATIONS OPERATING ON THE GUARD BAND/DUPLEX GAP CHANNELS OF UPCOMING JULY 13, 2020 DEADLINE TO CEASE OPERATIONS**

The Media Bureau (Bureau), in this Public Notice, reminds low power television and television translator stations (LPTV/translator stations) operating on the guard band/duplex gap channels (channels 38, 44, 45 and 46) that they must cease operations no later than **11:59 pm local time on July 13, 2020**.

The Commission's Incentive Auction was completed in April 2017 resulting in the repurposing of television channels 38 to 51 as the new wireless 600 MHz Band.<sup>1</sup> The 600 MHz Band Plan is comprised of uplink and downlink bands, a duplex gap between these bands (the 600 MHz duplex gap), and a guard band between the downlink band and channel 37 (the 600 MHz guard band).<sup>2</sup> The various television channels that correspond to these bands are illustrated below.

### **600 MHz Band Plan**



Pursuant to the Commission's *Incentive Auction R&O*, LPTV/translator stations must cease operations on the 600 MHz guard band (614-617 MHz) and the 600 MHz duplex gap (652-663 MHz) no later than the end of the post-Incentive Auction transition period: **July 13, 2020**.<sup>3</sup> The 600 MHz guard band at 614-617 MHz band overlaps with a portion of television channel 38, and the 600 MHz duplex gap at 652-663 MHz overlaps with all of television channel 45 and portions of channels 44 and 46. Therefore, LPTV/translator stations on channels 38, 44, 45 and 46 are subject to the requirement that they cease operations by **July 13, 2020**.

The **July 13, 2020** deadline for LPTV/translator stations operating on guard band/duplex gap channels to cease operations is a hard deadline – no extensions of time to continue operating in these

<sup>1</sup> See *In the Matter of Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions*, Report and Order, 29 FCC Rcd 6567 (2014) (*Incentive Auction R&O*) (subsequent history omitted); *Incentive Auction Closing and Channel Reassignment Public Notice: The Broadcast Television Incentive Auction Closes; Reverse Auction and Forward Auction Results Announced; Final Television Band Channel Assignments Announced; Post-Auction Deadlines Announced*, Public Notice, 32 FCC Rcd 2786 (2017) (*Closing and Channel Reassignment Public Notice*).

<sup>2</sup> *Incentive Auction R&O*, 29 FCC Rcd at 7021-22, paras. 128-29.

<sup>3</sup> *Id.* at 6841, para. 672.

bands will be considered.

LPTV/translator stations operating on guard band/duplex gap channels that have not yet filed an application for displacement channel between 2 and 36 (in core channel) remain eligible to do so.<sup>4</sup> Such stations, however, are not eligible for reimbursement from the TV Broadcaster Relocation Fund.<sup>5</sup>

Stations that have not yet constructed an in core channel displacement facility must cease operations on their guard band/duplex gap channel no later than **July 13, 2020**, and remain silent until the station is able to broadcast on the displacement channel. If a station goes silent prior to completing construction of its in core displacement facility, it may file a request for silent authority. As a reminder, stations may not suspend operations for more than 30 days absent specific authority from the Commission.<sup>6</sup> Stations that remain silent for more than 10 days must notify the Commission no later than the tenth day of their suspended operations by filing a Suspension of Operations Notification via LMS as outlined in the Appendix.<sup>7</sup> Stations that need to remain silent for more than 30 days must file a Silent STA via LMS as outlined in the Appendix. There is no fee for this filing.

We also remind stations that silence for any consecutive 12-month period results in automatic license expiration at the end of that period, by operation of law.<sup>8</sup> While the Commission may extend or reinstate such station license if the holder of the license prevails in an administrative or judicial appeal, the applicable law changes, or for any other reason to promote equity and fairness, such action is rare.

Stations that do not obtain an in core displacement channel must permanently discontinue operations on their guard band/duplex gap channel no later than **July 13, 2020** and submit their station license for cancellation.<sup>9</sup>

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<sup>4</sup> LPTV/translator stations operating on guard band/duplex gap channels were first eligible to file a displacement application during the Media Bureau's 2018 Special Displacement Window. *See Incentive Auction Task Force and Media Bureau Announce Post Incentive Auction Special Displacement Window April 10, 2018, Through May 15, 2018, and Make Location and Channel Data Available*, Public Notice, 32 FCC Rcd 1234 (IATF and MB 2018); *Incentive Auction Task Force and Media Bureau Extend Post Incentive Auction Special Displacement Window Through June 1, 2018*, Public Notice, 32 FCC Rcd (IATF and MB 2018).

<sup>5</sup> *See* 47 U.S.C. § 1452(k)(1) (“[o]nly stations that are eligible to file and do file an application in the Commission’s Special Displacement Window are eligible to seek reimbursement”); *see also* 47 CFR 73.3701(b)(1); *LPTV, TV Translator, and FM Broadcast Station Reimbursement*, Report and Order, 34 FCC Rcd 1690, 1701, para. 24 (2019).

<sup>6</sup> *See* 47 CFR §§ 73.1740(a)(4) and 74.763(b).

<sup>7</sup> *Id.*

<sup>8</sup> *See* 47 U.S.C. § 312(g). The Commission’s rules also provide that the “license of . . . [a] TV translator or TV broadcast booster, or low power TV station will expire as a matter of law upon failure to transmit broadcast signals for any consecutive 12-month period notwithstanding any provision, term, or condition of the license to the contrary.” 47 CFR § 74.15(f). *See also* 47 CFR § 74.763(c). *See also* 47 CFR §§ 73.1020(c), 73.1615(c)(2), 73.1635(a)(4), 73.1740(c), 73.1750.

<sup>9</sup> Instructions for requesting cancellation of a station license are included in the Appendix.

**APPENDIX****INSTRUCTIONS FOR ACCESSING AND FILING ON LMS****General Log-in Instructions**

Access the LMS applicant data entry home page here:

<https://enterpriseefiling.fcc.gov/dataentry/login.html>

Login using the FRN associated with the station.

For more information and help using the LMS system, contact: (877) 480-3201 TTY: (717) 333-2824.

**Request to Cancel License**

1. Click on “Facility” tab on the left top of the page.
2. Click on facility ID of the station.
3. Click on “File an Application” button.
4. Select “Request to Cancel License” from the drop down menu.
5. Complete the application and click “Submit.”

**Engineering, Legal, and Silent STAs**

1. Click on “Facilities” tab on the left top of the page.
2. Click on Facility ID of the station.
3. Click on “File an Application” button.
4. Select “STA – engineering, legal or silent” from the drop down menu.
5. Complete the application and click “Submit.”

**Suspension of Operations Notification**

1. Click on “Facility” tab on the left top of the page.
2. Click on facility ID of the station.
3. Click on “File an Application” button.
4. Select “Suspension of Operations Notification” from the drop down menu.
5. Complete the application and click “Submit.”